

12 PROTECTIVE COVENANTS AND SIMILAR DOCUMENTS ARE PRIVATE IN SCOPE AND NOT SUBJECT TO GOVERNMENTAL APPROVAL OR ENFORCEMENT

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- Each owner, corporate or otherwise, of a lot in Arbor Lake Subdivision shall be a member of the Arbor Lake Homeowners Association, a non profit corporation to be created for the purpose of owning and maintaining the lake site and other common areas, which membership is subject to the by-laws and other rules and regulations thereof. Such lot owner shall have the use of Arbor Lake only so long as he/she is a member of said association.
- No lot shall be used except for residential purposes, no building shall be erected, altered placed or permitted to remain on any lot other than one single dwelling and a private garage for not more than two cars, and separate detached, hereinafter referred to as detached buildings, incidental to such use.
- All dwellings and other structures constructed on the lots must be in compliance with requirements of the Horn Lake Planning Commission and its successors. Detailed building plans must be submitted to the developer or his designated agent in duplicate. If approved, the approval shall be noted on the face of one of the set of plans and the other held on file by the developer or his designated agent. The finished building must be shown on the original plans and any changes must be approved in writing.
- The developer or his designated agent shall have authority in approving or rejecting building plans. The developer or his designated agent's authority shall include but not be limited to architectural design, compatibility with surrounding houses, location on the lot and proposed construction material. All houses must have a minimum of 1,700 square feet of heated space excluding garages, porches, etc. All houses must have a minimum of 850 square feet on the ground floor excluding garages, porches, etc. All houses must have a minimum of three sides covered in brick, stone, or other material approved by the developer or his designated agent. All construction shall be of new material.
- All houses must have an attached garage that opens to the end or front of the house unless an exception is approved by the developer or his designated agent because of lot terrain.
- No detached building will be constructed without approval of the Horn Lake Planning Commission and appropriate permits must be obtained prior to construction. These buildings must also meet the approval of the developer or his designated agent. In addition the City of Horn Lake has the authority on design, construction material and site location.
- No lot shall be used or maintained as a dumping ground for rubbish. Trash garbage or other waste garbage shall not be kept, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Also, lots must be kept mowed and not allowed to grow up with grass and weeds. The developer, may hire the work done and bill the lot owner. If the lot owner does not pay the developer within 30 days, the developer or his designated agent and/or the Association shall have the right to file a lien against the property to recover the expense of bringing the lot owner to compliance.
- No structure of a temporary character, basement, tent, shack, barn, mobile home, or other detached building shall be used on any lot as a residence, either temporary or permanently.
- Easements for installation and maintenance of utilities and grange facilities are reserved over the rear, front, and along both sides of each lot.
- No obnoxious or offensive activities shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighbors. No business or trade of a commercial nature shall be carried on upon any lot. All lots and houses are for residential use only.
- No more than two domestic pets may be harbored per lot, however, no cows, hogs, goats or similar animals allowed.
- No vehicle of any kind shall be left in the subdivision unless it displays a current license plate and a current inspection sticker except for tractors used for property maintenance only. No commercial vehicle of any kind over (1) ton may be parked in Arbor Lake Subdivision. All motorized vehicles must be parked on finished concrete only. No on street parking shall be allowed in the subdivision.
- Mobile homes are strictly forbidden, either temporary or permanently.
- Sidewalks, streets, green areas, walking trails and lake shall be considered common areas.
- The property herein is subjected to an assessment by Arbor Lake Homeowner's Association of \$50.00 on a monthly basis, until changed by the majority of the total votes eligible to be cast by the members of the Association. Said assessments shall be due and payable as the Board of Directors determine, and if not paid shall bear a lien on the property so assessed and collectable by proper action at law, or proceeding in Chancery, for enforcement of such lien. Lots owned by the developer shall not be assessed a monthly assessment. Said fee shall be used for the maintenance and upkeep of the common areas.
- The lien of the assessment provided for herein shall be subordinate to the lien of any first and/or second mortgage recorded prior to said assessment. The lien of the assessment shall be superior to any homestead exemption now or hereafter provided by the laws of the State of Mississippi. Sale or transfer shall not relieve such site from liability for any assessment thereafter becoming due or from the lien thereof.

- No houseboats or bathhouses shall be allowed on the lake. Only electric motors will be allowed on Arbor Lake.
- Trot line fishing and jugging will not be allowed in Arbor Lake nor will any other type of fishing other than the generally accepted forms of sport fishing except by special permission of the Arbor Lake Homeowner Association and/or the developer.
- These covenants are to run with the land and shall be binding upon all parties and persons claiming under them from the date these covenants are recorded. After which time said covenants in force and effect until an instrument signed by 2/3 majority of then owners of the lots have been recorded agreeing to change said covenants in their entirety or in part. Each lot owner shall have one vote.
- In the event any restrictive covenants of Arbor Lake Subdivision is declared by the courts to be invalid, the same shall not affect the validity of these covenants as a whole or any part thereof other than the part so declared to be invalid.
- Enforcement of covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any restrictive covenant either to restrain violation or to recover damages.
- All lots bordering commercial lots (west) shall be constructed as 1-story structures.
- No accessory building (sheds, pole structures, etc.) permitted on any lot.

OWNERS CERTIFICATE

MILLENNIUM 1, INC. OWNER OR AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE PROPERTY, HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND PAYABLE. THIS THE 11th DAY OF February 19 2000

NOTARY'S CERTIFICATE

STATE OF MISSISSIPPI, COUNTY OF DESOTO  
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID COUNTY AND STATE, ON THE 11th DAY OF February, 2000, WITHIN MY JURISDICTION, THE WITHIN NAMED John J. Scott, who he is, and he acknowledged that he is the owner of the above and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing instrument, and that he executed the above and foregoing instrument for the purposes mentioned on the day and year therein mentioned, AFTER FIRST HAVING BEEN DULY AUTHORIZED BY SAID CORPORATION SO TO DO.

12-01-2001  
MY COMMISSION EXPIRES

Notary Public

HORN LAKE PLANNING COMMISSION

APPROVED BY THE HORN LAKE PLANNING COMMISSION ON THIS THE 9th DAY OF November, 1999.

ATTEST:  
Arlene Sheeton  
SECRETARY

CHAIRMAN:

HORN LAKE MAYOR & BOARD OF ALDERMAN

APPROVED BY THE HORN LAKE MAYOR AND BOARD OF ALDERMAN ON THIS THE 11th DAY OF December 1999.

City Clerk

MAYOR

STATE OF MISSISSIPPI

COUNTY OF DESOTO

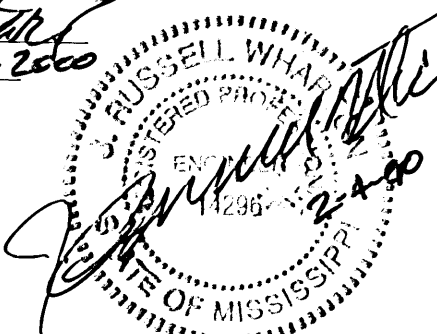
I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREON WAS FILED FOR RECORD IN MY OFFICE @ 4:35 O'CLOCK P.M. ON THE 23rd DAY OF Feb. 2000, AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEX AND DULY RECORDED IN PLAT BOOK 10 ON PAGE 11.

STATE OF MISSISSIPPI

ENGINEERS CERTIFICATE

THIS IS TO CERTIFY THAT I HAVE DRAWN THIS SUBDIVISION SHOWN HEREON AND THE PLAT OF SAME IS ACCURATELY DRAWN FROM INFORMATION FROM A LEGAL BOUNDARY SURVEY: AND THAT THIS PLAT IS IN CONFORMANCE WITH APPLICABLE STATE LAWS, THE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS.

NAME: Russell W. Wynn  
LICENSE # 14296 / DATE 2-4-2000



MORTGAGEE'S CERTIFICATE

Peoples Bank MORTGAGEE OF THE PROPERTY HEREON, HEREBY ADOPT THIS AS OUR PLAN OF SUBDIVISION AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE MORTGAGEE IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND PAYABLE. THIS THE 11th DAY OF February 19 2000

NOTARY'S CERTIFICATE

STATE OF MISSISSIPPI, COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID COUNTY AND STATE, ON THE 11th DAY OF February, 2000, WITHIN MY JURISDICTION, THE WITHIN NAMED Peoples Bank, who he is, and he acknowledged that he is the owner of the above and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing instrument, and that he executed the above and foregoing instrument for the purposes mentioned on the day and year therein mentioned, AFTER FIRST HAVING BEEN DULY AUTHORIZED BY SAID BANK SO TO DO.

12-01-2001  
MY COMMISSION EXPIRES

NOTE:

THE PLATTED PROPERTY IS ALSO SUBJECT TO THOSE COVENANTS, RESTRICTIONS AND EASEMENTS AS SET FORTH IN DOCUMENT FILED OF RECORD IN BOOK PAGE AND AS MAY OTHERWISE BE AMENDED FROM TIME TO TIME, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, TO WHICH DOCUMENT REFERENCE IS HEREBY MADE. ANY PROPERTY OWNER SHALL BE BOUND BY THE TERMS OF SAID DOCUMENT.

FINAL PLAT OF LOT 3 OF  
ARBOR LAKES  
SUBDIVISION  
SECTION 35, RANGE 8 W, TOWNSHIP 1 S  
CITY OF HORN LAKE, DESOTO COUNTY MISSISSIPPI

SCALE" = NONE  
FEBRUARY 2000

ZONING: RM-6  
TOTAL AREA: 11.51 AC.  
TOTAL LOTS: 52

DEVELOPER  
MILLENNIUM OF MISSISSIPPI  
1651 DANCY BOULEVARD  
HORN LAKE, MISSISSIPPI

Quest Engineering Group

Civil, Environmental & Land Planning  
Phone (662-393-9500) Fax (662-393-9580)

SCALE: NONE	DRAWN BY: RKH	DATE: 01/13/00	DRAWING NO.
FILE: COVEPLAT	CHECKED BY: JRW	JOB NO. 99108	2 OF 2